Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 401-10296-2844-339	Date: 06-26-01	Time: 0020	
Location: Northbound Poinsettia Avenue just north of Tichenor Street			
City or Station: Compton			
Bureau/Station/Facility: Compton Station	Admin. Investigation: YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Carroll	Ricky	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	19	

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]		[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Vasquez	Angel		Sgt.	YES ☒ NO ☐	YES ☒ NO ☐
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Hellmold	James	J.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Edmonds	Tracee	R.

Watch Commander's Signature: ____________________ Emp #: __________

Copy Provided to Employee by: ____________________ Emp #: __________

Supervisor Completing Form: ____________________ (Print) Emp #: __________

Unit Commanders Signature: ____________________ Emp #: __________ Date Signed: __________

PSTD Use Only

FO# F0203871(6

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

See Reverse

SH-R-438 Rev. 10/98

Super‹‹isor's Report on Use of F‹‹rce

URN: 401-10296-2844-339

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	PP	FR	FA
E#2	S#1	PP	FR	FA

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 401-10296-2844-339

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Shirley	Steven	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Compton Station	Unit 283

Shift		Age	Height	Weight
☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5-08	170

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	Force
☐			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	Nelson	Kevin	J.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	Compton Station	Unit 281

Shift		Age	Height	Weight
☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5-07	165

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 401-10296-2844-339

Suspect Information

S1

Last Name: Batiste	First Name: Shanarah	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☒ Female	B	[redacted]	[redacted]	[redacted]

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
	[redacted]	24	5-04	06-09-77	120	☐

Booking #: 6923768 Primary Charge: 69 P.C. Secondary Charge: Criminal History [redacted]

Hospital Admission? ☐ Rec'd Treatment At: St. Francis & LAC+USC Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☒ NO Substance: ______ Photos of Suspect's Injuries ☒ YES ☐ NO

Suspect Interview

Date	Time		
06-26-01	0025 & 0945 hrs.	Audiotape: ☒	Videotape: ☒

Suspect Information

S_

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☐ Female				

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ______ Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date	Time		
		Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex	Race	Street Address	City	State & Zip Code
☐ Male ☐ Female				

Work Phone	Home Phone	Age	Height	D.O.B.	Weight	Armed?
						☐

Booking #: Primary Charge: Secondary Charge: Criminal History ☐

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case#: Mental History ☐

Under Influence: ☐ YES ☐ NO Substance: ______ Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date	Time		
		Audiotape: ☐	Videotape: ☐

See Other Side

Supervisor's Report on Use of Force

URN: 401-10296-2844-339

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Non-Employee Witnesses (Continuation)

Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.

INVESTIGATIVE SUMMARY
SIGNIFICANT USE OF FORCE
FRACTURED JAW
IAB FO 2038716
URN: 401-10296-2844-339

On Tuesday, June 26, 2001, at approximately 0245 hours, Sergeants William Hines and William Borngrebe of the Internal Affairs Bureau responded to Compton Station regarding the significant use of force by Sheriff's personnel. A female had attempted to interfere with deputies while they were investigating a possible burglary to a vehicle. After being warned numerous times, deputies arrested the female suspect for 69 P.C.-Resist/Obstruct a Police Officer. The suspect continued to resist. As she was being handcuffed, deputies tried to bend her down from the waist on the hood of her car. She arched her back and resisted. Deputies again pushed her upper body toward the hood of her car at the same time the suspect stopped resisting. The suspect hit her face on the hood of her car and sustained a fracture to her jaw and two chipped front teeth.

INVOLVED PERSONNEL:

SHIRLEY, Steven, Deputy, #[redacted]
NELSON, Kevin J., Deputy, #[redacted]
Compton Station
Field Operations Region II

EMPLOYEE WORK HISTORY:

SHIRLEY, Steven, Deputy, #[redacted] Height-5' 8" Weight-170 lbs.
Date of Employment: November 13, 1988
Date assigned to Patrol: October 26, 1997
Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

NELSON, Kevin J., Deputy, #[redacted] Height-5' 7" Weight-165 lbs.
Date of Employment: December 14, 1990
Date assigned to Patrol: January 28, 1997
Completed Patrol Training: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT:

BATISTE, Shanarah F/B/24 Booking # 6923768 Height 5' 4" Weight-120 lbs.

Suspect Batiste has [redacted]

Refer to Exhibit G- Suspect's Criminal Record.

WITNESSES:

Sworn:

Carroll, Ricky	# [redacted]	Deputy	Compton Station
Vasquez, Angel	# [redacted]	Sergeant	Compton Station

Civilian:

[redacted] F/B 18 yrs. [redacted]

No other witnesses were located.

INJURIES:

Suspect Batiste was treated by Dr. Farmer at St. Francis Hospital in Lynwood. Dr. Farmer recommended that suspect Batiste be transported to Los Angeles County Medical Center due to a possible jaw fracture. She was treated there by Dr. Hassimi who determined that suspect Batiste had sustained a fractured jaw. Her jaw was wired in place for treatment. **Refer to Exhibit H- Photographs of Suspect Batiste.**

Dr. Robert Hassimi was interviewed at Los Angeles County Medical Center on the date of the incident at 1326 hours. The interview was tape recorded and summarized as follows:

Dr. Hassimi related that suspect Batiste sustained fractures to her two upper front teeth. She also sustained a non-displaced greenstick fracture (hair line fracture) of her left angle mandible (lower jaw). She was given a choice of two methods of repairing her jaw. One method of repair was a soft diet for a period of several weeks and the other was to have her jaw wired closed. With the hospital's recommendation, she chose to have her jaw wired shut.

Dr. Hassimi concluded that the injuries suspect Batiste sustained were consistent with the actions of the deputies pushing her forward and striking her head on the hood of a car. **Refer to Exhibit F- Suspect Batiste's Medical Records.**

> **IAB NOTE:** Later, while returning from LAC+USC, suspect Batiste, removed the wires and brackets used to repair her jaw. She was handcuffed, however, she is "double jointed" and had the ability to reach her mouth. **Refer to Exhibit E**

PHYSICAL EVIDENCE:

None

INVESTIGATOR OBSERVATIONS:

The location of arrest was near the intersection of Poinsettia Avenue and Tichenor Street in Compton.

WEAPONS USED BY DEPUTY PERSONNEL:

None

WEAPONS USED BY SUSPECT:

None

PROPERTY DAMAGE:

There was a small dent on the hood of the suspect's car. **Refer to Exhibit K- Photographs of the blue Chrysler.**

CRIMINAL INVESTIGATOR/CHARGES FILED:

INVESTIGATOR'S NAME: **Scott McCormick** Emp. #[redacted]
COURT: Compton Municipal Court
CHARGES: 69 P.C.
COURT DATE: 07-13-2001
CASE NO. 1CM04943

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during the early morning hours. There were overhead street lights at the location and the spotlight of Sheriff's Helicopter Air 21.

INVOLVED EMPLOYEE'S STATEMENTS:

Prior to all interviews each of the involved deputies read and signed the Administrative Rights/Force Review Admonition. All of the interviews were tape recorded and summarized as follows:

DEPUTY KEVIN J. NELSON
Deputy Nelson was interviewed at Compton Station on June 26, 2001, at 0513 hours, by Sergeants William Hines and William Borngrebe.

Deputy Nelson has [redacted] on the department.

Deputy Nelson was working Unit 281 on EM Shift with his partner, Deputy Ricky Carroll. Deputy Nelson told IAB investigators that on this date at about 0130 hours, he and his partner responded to the [redacted] block of Poinsettia Avenue, Compton, regarding a 459 Now/ 417 Call. Sheriff's Aero Unit, Air 21 had been requested and arrived along with other units. Air 21 advised that a car was leaving the immediate area and might be involved. They further requested deputies to stop the car. **Refer to Exhibit J- Photographs of the van originally stopped by Deputy Shirley.**

Deputy Shirley made a traffic stop on the van, northbound on Poinsettia Avenue, just north of Tichenor Street. **Refer to Exhibit I- Photographs of Poinsettia Avenue and Tichenor Street.** As Deputy Shirley stopped, a blue Chrysler pulled in behind Deputy Shirley's patrol car and stopped within a few feet from his bumper. Deputy Nelson seeing this, made a U-turn and pulled in behind the blue Chrysler. The driver of the blue Chrysler exited. Deputy Nelson could not see if the person was a male or female because the person was wearing a large hooded type sweater with the hood up over their head. Deputy Nelson also could not see the person's hands. Deputy Nelson saw the person walking toward the center of the street, in a northwest direction, west of Deputy Shirley's patrol car. Deputy Nelson does not recall hearing this person say anything. Deputy Shirley was focused on the van that he had stopped, and Deputy Nelson felt that Deputy Shirley had no idea that this person was walking up behind him. Deputy Nelson drew his weapon and ordered the person to get back several times. The person, later identified as suspect Batiste, refused to back up. Deputy Nelson walked toward suspect Batiste. Deputy Shirley turned and saw suspect Batiste. Deputy Shirley pointed his duty weapon at her and ordered her twice, to get back.

Deputy Nelson holstered his weapon, walked up on the right side of the suspect, took hold of her right arm and placed it in a control hold, which he described as bringing her right arm up behind the suspect's back in a type of rear wrist lock. He started to lead her away but she immediately started "squirming around and trying to break free." Deputy Shirley came over and grabbed her other arm and together they forcibly moved her out of the street. He was unsure of how Deputy Shirley was holding the other arm. Suspect Batiste fought by twisting her body and attempting to pull her arms free. She resisted the whole way, using her "heal brakes." When they got her near the front of the blue Chrysler, their intention was to lay her over the hood of the car and handcuff her. She continued to resist, so they pushed her forward onto the hood

of the car and handcuffed her. Deputy Nelson described his pushing action as that of holding on to her right wrist with his left hand and his right hand was holding her right upper arm near the biceps/shoulder area. He felt that it was not a hard push. Deputy Nelson never put his hand on the back of the suspect's head and he never saw Deputy Shirley put his hand on the back of the suspect's head. Once she was handcuffed, Deputy Nelson said he placed her in the back seat of his car. As she was placed in the back seat, Deputy Nelson slightly recalled that she said her teeth were chipped, but he is not sure.

During this time, Deputy Carroll had walked up to cover the van. The van was then cleared by Deputies Carroll and Shirley.

A short time later, Deputy Shirley told Deputy Nelson that the suspect had chipped her teeth when she was handcuffed. Deputy Nelson's reaction was that of surprise, since he did not feel that they had pushed her onto the hood of the car with much force. He did not see her head make any contact with the hood of the car. Deputy Nelson felt that the only part of the suspect's body that might have hit the hood of the car would have been her chest area.

Deputy Nelson reported his use of force to his supervisor, Sergeant Vasquez.

Deputy Nelson concluded that during this incident, the thought went through his mind that this situation could have been an ambush.

DEPUTY STEVEN SHIRLEY

Deputy Shirley was interviewed at Compton Station on June 26, 2001, at 0614 hours, by Sergeants William Hines and William Borngrebe.

Deputy Shirley has [redacted] on the department which includes [redacted] in patrol.

Deputy Shirley was working Unit 283 on EM Shift.

Deputy Shirley told IAB investigators that on this date at about 0130 hours, he responded to a burglary now-suspects armed with handguns. On his way to the call, Sheriff's Aero Unit, Air 21 requested a ground unit to stop a vehicle leaving the area. Deputy Shirley saw the car stopped on Tichenor Street at Poinsettia Avenue. The driver of the van was a female. Deputy Shirley conducted a traffic stop on the van northbound Poinsettia just north of Tichenor Street. As Deputy Shirley stopped, he saw Deputies Nelson and Carroll drive southbound on Poinsettia Avenue. Deputy Shirley exited his patrol car and placed one foot on the ground and one on the floorboard. He heard Deputy Nelson yell something to the effect, "Get back here! Get over here!" Deputy Shirley turned to see who Deputy Nelson was talking to. Deputy Shirley was surprised to see a person wearing a red hooded sweatshirt walking toward him. The person was within ten feet. He could not immediately tell if the person was a male or female. Deputy Shirley also had not noticed that a car had pulled in behind him. Deputy Shirley felt this person was a definite threat

to him. He told the person to leave, however, she said, "No!" She asked Deputy Shirley why he was pulling over the van. Deputy Shirley told her that it was none of her business and again told her to leave.

Deputy Nelson approached her and ordered her to get back. Deputy Shirley's attention was divided between the van possibly containing armed suspects and the approaching female. Deputy Shirley ordered her at gunpoint, to get away from him. Deputy Nelson grabbed suspect Batiste by the arm, while Deputy Shirley focused back on the van. Deputy Shirley looked back at Deputy Nelson and saw that the suspect was struggling with Deputy Nelson. Deputy Shirley holstered his weapon and left his position covering the van, to assist Deputy Nelson. Deputy Carroll took over Deputy Shirley's position of covering the van.

Deputy Shirley grabbed suspect Batiste by the left arm, while he was still trying to watch the van. Together, they walked her back toward her car, while she was struggling, yelling and trying to get away. As they reached her car, they tried to handcuff her. Deputy Shirley tried to get her hand behind her back. He pushed her shoulder with his right hand so he could get her left hand behind her back with his left hand. During the struggle, Deputy Shirley switched hands, and grabbed her left wrist with his right hand, so he could place his left forearm across her back and push her forward. As he did this, suspect Batiste struggled and resisted by arching her back and coming up off the car. Deputy Shirley pushed her down again, just as she relaxed, causing her to hit the hood of the car. Deputy Shirley felt that only very light force was used to push the suspect forward. They were then able to get her hands behind her back and handcuffed. The suspect immediately said, "You just chipped a tooth." Deputy Shirley saw what he believed was rock cocaine on the hood of the car and that the suspect had just spit it out. It wasn't until the suspect said her tooth was chipped, that he realized that it wasn't rock cocaine on the hood, but possibly chips of teeth. **Refer to Exhibit K-Photographs of possible pieces of teeth on the hood of the blue Chrysler.**

Deputy Shirley never grabbed the suspect's head or hair and slammed it on the hood of her car. He also never saw Deputy Nelson grab the suspect's head or hair and slam it on the hood of her car. Deputy Shirley was very surprised that the suspect chipped her teeth during this incident.

Deputy Shirley reported his actions and use of force to Sergeant Vasquez.

WITNESSES STATEMENTS:

SWORN:

Prior to all interviews, each of the witness deputies read and signed the Admonition for Witnesses Form. All of the interviews were tape recorded and summarized as follows:

SERGEANT ANGEL VASQUEZ

Sergeant Vasquez was interviewed at Compton Station on June 26, 2001, at 0441 hours, by Sergeants William Hines and William Borngrebe. Sergeant Vasquez was working Unit 280S, on EM Shift.

Sergeant Vasquez told IAB investigators that on this date at about 0130 hours, he responded to Tichenor Street and Poinsettia Avenue, Compton, regarding a possible 459/possible 417 Suspect. Sheriff's Aero Unit, Air 21 had been requested and arrived along with the handling deputies, prior to Sergeant Vasquez' arrival. The air unit directed the deputies to stop a van which was seen leaving the area.

On his arrival, he turned southbound onto Poinsettia Avenue. He saw the van northbound on Poinsettia Avenue and a patrol unit behind it. The unit was driven by Deputy Shirley, a one man unit. Deputy Shirley activated his overhead lights to stop the van. The van stopped and pulled to the side. Sergeant Vasquez maintained a position of safety a few yards to the front side of the traffic stop. As he was watching the traffic stop, a blue Chrysler pulled behind the patrol unit, and another patrol unit pulled behind the Chrysler. Deputies Nelson and Carroll were in the second unit. The vehicles were lined up as follows: a blue van, the first patrol unit, a blue Chrysler, the second patrol unit.

Sergeant Vasquez watched as the first patrol unit's driver's side door opened. He then heard someone say, "Get back, get back!" He was not sure if it was a deputy from the first patrol unit or the second patrol unit. He then heard a female voice, however, he could not understand what she was saying, since he was about half a block away.

Sergeant Vasquez continued to watch as the blue van was cleared of its one occupant, who complied with the deputies directions. Once the van was cleared, Sergeant Vasquez approached in his patrol unit and parked southbound on the opposite side of the street.

After he parked, Sergeant Vasquez was contacted by Deputy Shirley who told him that he had "something to run by him." Deputy Shirley told Sergeant Vasquez that he exited his vehicle to conduct a felony stop on the blue van. As he started to give instructions to the driver of the van, an unknown person approached. The person had a hooded sweatshirt, with the hood up, and he could not see if the person was male or female. This person walked up behind him, within about eight to ten feet away and started yelling, "What are you stopping her for? That's my [redacted]" Deputy Shirley was trying to stay focused on the van, so he ordered this person several times to back away from him. The person refused to get back, and continued

to yell (The voice was a female's voice).

Deputy Nelson then approached to assist Deputy Shirley. Deputy Nelson also ordered the female to get back and again she refused. Deputy Nelson grabbed her right hand in a control hold to lead her away, however, she started to struggle. Deputy Shirley observed that she was struggling with Deputy Nelson, so he approached and took hold of her left arm to assist in leading her away. Both deputies lead her to her car, the blue Chrysler. Suspect Batiste continued to struggle and attempt to "wiggle away." As Deputies Shirley and Nelson were trying to control suspect Batiste, she fell forward on the hood of her car. She was handcuffed and placed in the back seat of Deputy Shirley's patrol car. Deputies Shirley, Nelson and Carroll then completed their felony stop on the van and determined that the situation was under control. Deputy Shirley told Sergeant Vasquez that suspect Batiste complained that her two front teeth were chipped.

As Deputy Shirley was talking to him, Sergeant Vasquez was not sure where Deputies Carroll and Nelson were standing. His attention was on Deputy Shirley, but he could hear suspect Batiste, who was now in the back seat of Deputy Shirley's patrol car, yelling and hitting or kicking the inside of the car. He thought she was going to kick out the window.

Sergeant Vasquez then interviewed the suspect with the video camera. She told him that the deputies slammed her head on the hood of her car and broke her two front teeth. She also said that her jaw hurt.

Deputy Nelson told Sergeant Vasquez that when he first approached from behind the blue Chrysler, he could see a person get out of the car, however, Deputy Nelson could not determine if the person was male or female because of the hooded sweatshirt up over the person's head. Deputy Nelson pointed his duty weapon at the person and ordered the person to get back. The person did not comply, so he holstered his weapon and placed a control hold on the suspect. The suspect struggled and tried to get away and continued yelling at the deputies. Deputy Shirley approached and together, they walked the suspect over to her car and handcuffed her.

Sergeant Vasquez did not interview Deputy Carroll since he did not use any force. Deputy Carroll reported his observations and actions to Lieutenant Traci Edmonds.

Sergeant Vasquez concluded he felt the deputies actions were justified based on the situation.

Sergeant Vasquez was re-interviewed at Compton Station on July 18, 2001, at 0611 hours. The purpose of the interview was to determine what he witnessed of this incident and at what point he drove next to the other units. His second interview was summarized as follows:

At the time of this incident, Sergeant Vasquez had stopped just north of the stop on Poinsettia Avenue. He felt he was in the "kill zone" so he backed up onto the first cross street north of the stop, on Marcelle

Street. He was parked in a position that allowed him to view the incident about a half ofblock away. He saw Deputy Shirley exit his patrol car. He then heard someone say, "Get back, get back!" Sergeant Vasquez was not sure who said this, or who they were talking to. He felt he was possibly still in the "kill zone" so he backed up farther on Marcelle Street. About ten to thirty seconds later, he pulled forward again to view the incident. Sergeant Vasquez did not see the actions of Deputies Shirley and Nelson as they arrested suspect Batiste.

Sergeant Vasquez drove up at this point, and he was approached by Deputy Shirley. Sergeant Vasquez did not pull up on the incident until Suspect Batiste was already detained and inside the patrol car.

DEPUTY RICKY CARROLL

Deputy Carroll was interviewed at Compton Station on June 26, 2001, at 0542 hours, by Sergeants William Hines and William Borngrebe.

Deputy Carroll has [redacted] on the department, which includes [redacted] in patrol.

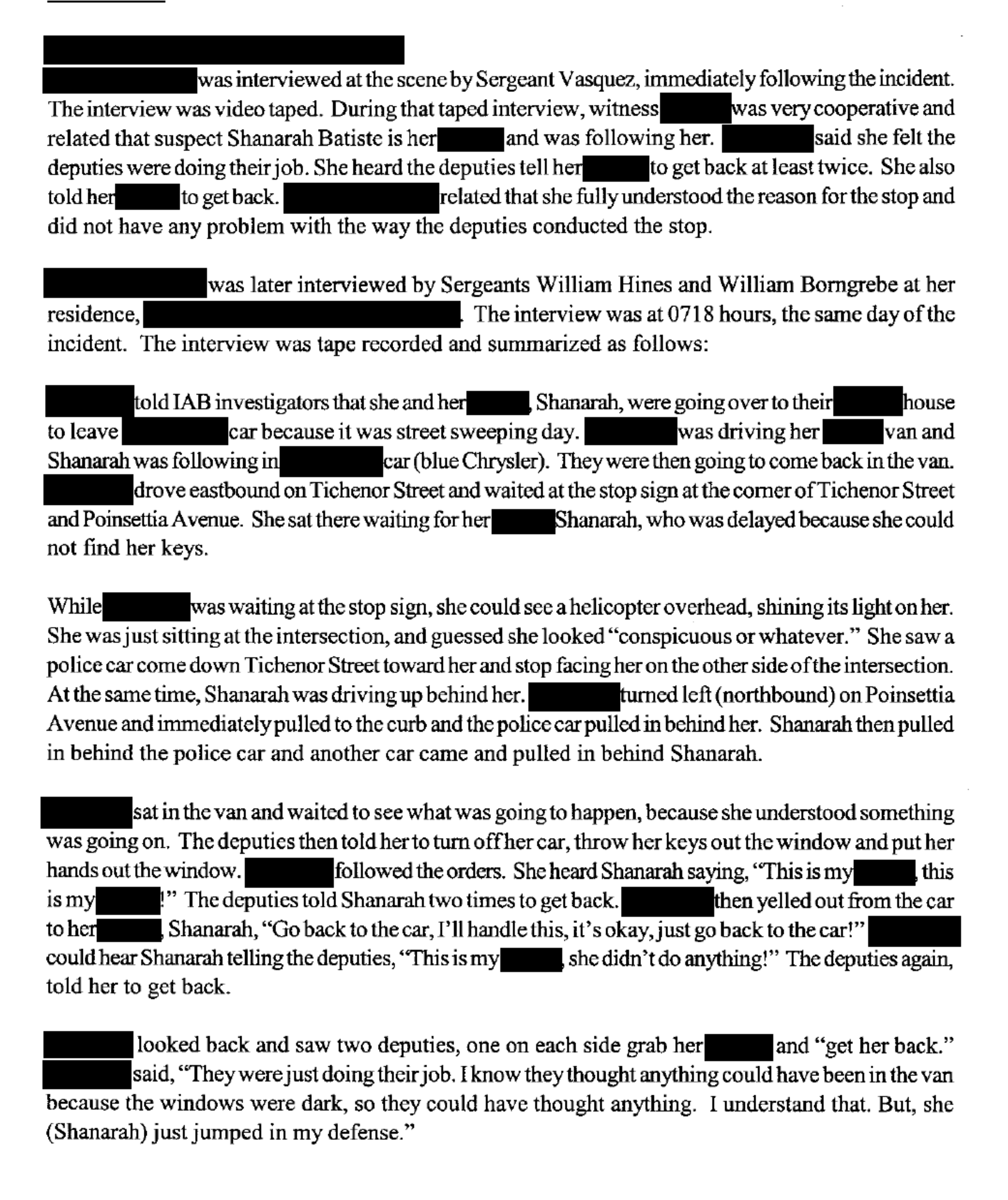
Deputy Carroll was working Unit 281 on EM Shift with his partner, Deputy Nelson. Deputy Carroll told IAB investigators that on this date at about 0130 hours, he responded to a possible 459 now /possible 417 Suspect. Sheriff's Aero Unit, Air 21 had been requested and arrived along with the handling deputies, prior to his arrival with Deputy Nelson. Air 21 advised the ground units that they saw a van leaving the area and wanted it stopped.

Deputy Carroll was unsure of which street he was on, but he saw the van, then he saw a patrol unit make a U-turn and pull in behind the van. He also saw another car pull up behind the patrol unit and stop. Deputy Carroll and his partner were now forced to pull behind this car.

A female jumped out of this second car and immediately started to run up on Deputy Shirley. Deputy Carroll ordered her several times to get back. Deputy Carroll was also directing his attention on the van. The female ignored Deputy Carroll's orders and ran up to within six to eight feet from Deputy Shirley. Deputy Carroll also ran up, parallel to the suspect with his gun drawn, pointed at her and again ordered her to get back. She ignored all orders to get back. Deputy Carroll commented that the suspect was "totally and completely oblivious" to what the deputies were telling her to do. He felt that she was possibly a "ruse" to draw the deputies attention away from the van and possible suspects inside. The female made Deputy Carroll "nervous." Deputy Carroll then saw Deputy Shirley holster his gun and leave his position of covering the van. Deputy Shirley grabbed the female and started pushing her back.

Deputy Carroll said at this point he was entirely focused on the van. He could hear the suspect screaming but he did not see her being handcuffed.

Deputy Carroll strongly felt during this incident, that the suspect's motive was to pull the deputies' attention away from the van. She was adamant about refusing to back away.



CIVILIAN:

[redacted]

[redacted] was interviewed at the scene by Sergeant Vasquez, immediately following the incident. The interview was video taped. During that taped interview, witness [redacted] was very cooperative and related that suspect Shanarah Batiste is her [redacted] and was following her. [redacted] said she felt the deputies were doing their job. She heard the deputies tell her [redacted] to get back at least twice. She also told her [redacted] to get back. [redacted] related that she fully understood the reason for the stop and did not have any problem with the way the deputies conducted the stop.

[redacted] was later interviewed by Sergeants William Hines and William Borngrebe at her residence, [redacted]. The interview was at 0718 hours, the same day of the incident. The interview was tape recorded and summarized as follows:

[redacted] told IAB investigators that she and her [redacted], Shanarah, were going over to their [redacted] house to leave [redacted] car because it was street sweeping day. [redacted] was driving her [redacted] van and Shanarah was following in [redacted] car (blue Chrysler). They were then going to come back in the van. [redacted] drove eastbound on Tichenor Street and waited at the stop sign at the corner of Tichenor Street and Poinsettia Avenue. She sat there waiting for her [redacted] Shanarah, who was delayed because she could not find her keys.

While [redacted] was waiting at the stop sign, she could see a helicopter overhead, shining its light on her. She was just sitting at the intersection, and guessed she looked "conspicuous or whatever." She saw a police car come down Tichenor Street toward her and stop facing her on the other side of the intersection. At the same time, Shanarah was driving up behind her. [redacted] turned left (northbound) on Poinsettia Avenue and immediately pulled to the curb and the police car pulled in behind her. Shanarah then pulled in behind the police car and another car came and pulled in behind Shanarah.

[redacted] sat in the van and waited to see what was going to happen, because she understood something was going on. The deputies then told her to turn off her car, throw her keys out the window and put her hands out the window. [redacted] followed the orders. She heard Shanarah saying, "This is my [redacted], this is my [redacted]!" The deputies told Shanarah two times to get back. [redacted] then yelled out from the car to her [redacted], Shanarah, "Go back to the car, I'll handle this, it's okay, just go back to the car!" [redacted] could hear Shanarah telling the deputies, "This is my [redacted], she didn't do anything!" The deputies again, told her to get back.

[redacted] looked back and saw two deputies, one on each side grab her [redacted] and "get her back." [redacted] said, "They were just doing their job. I know they thought anything could have been in the van because the windows were dark, so they could have thought anything. I understand that. But, she (Shanarah) just jumped in my defense."

At that point, since Shanarah was not listening to her, [redacted] just turned her head back forward, and followed the orders given to her by the deputies. She opened her door and came out with her hands up. Since [redacted] was paying attention to what the deputies were telling her to do, she did not actually see the deputies arresting Shanarah.

[redacted] concluded by saying that her [redacted] was just being protective.

> **IAB NOTE:** At this point in the interview, Ms. [redacted] and Ms. [redacted] entered the room. [redacted] is suspect Shanarah's [redacted] and [redacted] is [redacted]. Although they were not actually interviewed, they did make statements on tape. Their statements as related to this case are summarized as follows: Neither [redacted] nor [redacted] witnessed the arrest of Shanarah. [redacted] had walked down to the location of the arrest, just as the short deputy was putting Shanarah in the back seat of the police car. According to [redacted], this short deputy (Deputy Nelson), told her he was the one that shoved Shanarah on the car and chipped her front teeth. [redacted] then yelled down for her [redacted], [redacted]. [redacted] walked down to the location of the arrest after it was over. She saw Shanarah in the back of the police car, yelling, "[redacted], they broke my teeth!" The deputy told [redacted] that Shanarah was okay. He then shined a light in Shanarah's face, so [redacted] could see she was okay. [redacted] did not see any injuries or blood on Shanarah's face. The tallest deputy, with a mustache and blond hair (Deputy Carroll), said, "You need to corral your [redacted], that's why her teeth are broke. Your problem is your [redacted]." [redacted] felt that this deputy was making the incident worse by saying these things and Shanarah was responding to his comments. They felt this deputy was "rubbing it in." [redacted] related that her [redacted], Shanarah, does not have a temper, however, "She has a mouth and she flares off."

SUSPECT STATEMENTS:

SHANARAH BATISTE

Suspect Shanarah Batiste was interviewed at the scene by Sergeant Vasquez, immediately following the incident and a short time later by the watch commander, Lieutenant Edmonds. The interview was video taped. During both taped interviews, suspect Batiste was very loud, boisterous and belligerent. She admitted that she pulled in behind the deputy and exited her car. She walked toward the center of the street, not toward the deputy. The deputy pointed his gun on her and told her to "Get the fuck back!" She kept asking the deputy why he stopped her [redacted]. Another deputy grabbed her and the first deputy grabbed her and pulled her to her car. They then slammed her head on the hood of her car, chipping her two front teeth. During the interview with Lieutenant Edmonds, suspect Batiste said she, "was talking shit" to the deputies and she had, "been talking shit, ever since!"

Suspect Shanarah Batiste was later interviewed by Sergeants William Hines and William Borngrebe at Los Angeles County University of Southern California Medical Center. She had just finished receiving medical treatment where her jaw was wired shut. She had also been given medication for her pain. The interview was at 0945 hours, the same day of the incident. The interview was tape recorded and summarized as follows:

Suspect Batiste told IAB investigators that earlier that morning, just after midnight, since it was street sweeping day and they have four cars, they were taking one of the cars to a parking lot at a grocery store at Poinsettia Avenue and Alondra Boulevard. They were coming from their house on Tichenor Street. She saw a helicopter above her, shining its light down on the next street over. Shanarah could not immediately find her purse and her [redacted] had already left the house in the blue minivan, and was waiting at the intersection of Tichenor Street and Poinsettia Avenue.

Shanarah left the house in [redacted]s car, a blue Chrysler. As she drove down Tichenor Street, she could see a police car stopped on Tichenor Street facing west at Poinsettia Avenue. The police car did not have on its headlights, only its parking lights. Shanarah watched as [redacted] turned left (northbound) onto Poinsettia Avenue, and the deputy pulled in behind [redacted] van. Shanarah pulled in behind the police car. She knew the procedure and that the "police officers like to protect their selves, and if I get real close up on them, they're going to think I'm going to do something to them." She got out of her car and counted twelve steps away from her car toward the middle of the street. She then walked toward the patrol car, "not trying to pose any threat" and asked why he was pulling over her [redacted]. The deputy told her to "Move the fuck away." She put her hands up so he could see she did not have anything in her hands. The deputy pulled his gun on her and told her, "Get the fuck away." Suspect Batiste did not understand why she was a threat to the officer since she was twelve steps away.

Another officer came, who was a sergeant, and he pulled up beside them. Another patrol car pulled in behind her car and a police officer got out and started to chase her.

> **IAB NOTE:** Sergeant Vasquez was re-interviewed on July 18, 2001, regarding the statement by suspect Batiste that a sergeant pulled up beside them as she was talking to the deputies. Sergeant Vasquez said that he did not pull up to the incident until suspect Batiste had already been placed in the rear of the patrol car.

She did not move from the middle of the street and when this officer reached her, he grabbed her. The first officer also came over to her and they both "manhandled" her. The officers put both of her arms behind her back and up near her shoulders. She is double jointed. Suspect Batiste again asked why they were stopping her [redacted].

> **IAB NOTE:** Later during the interview, Suspect Batiste admitted she was mad when the deputies grabbed her and she was "cussing and fussing up a storm!" because she

felt that she did not do anything wrong. She just wanted to know why they were stopping her [redacted]. She also felt that she was not posing any threat to the officers. Suspect Batiste is very protective of her [redacted] and that is the reason she asked the deputies why they had stopped her.

Suspect Batiste related that she felt that since she is double jointed and she wasn't saying she was hurt, the officer on the right side of her grabbed her hair and smashed her head on the hood of her car.

IAB NOTE: Later during the interview, Suspect Batiste said the name of the officer who grabbed her hair was Deputy Nelson. She added that he admitted to her that he did it and he later told her [redacted] that he did it.

As soon as she raised up, she saw white particles on the hood of the car, and she said, "You just broke my teeth. I want to talk to your sergeant." She felt she was going to be arrested in order to "cover up" her injury. She wanted to make a citizen's complaint before she was arrested. They then handcuffed her and put her in the back of the patrol car. As they put her in the back of the car, she yelled down the street, "[redacted], [redacted], get my [redacted]." The deputy was trying to hurry to get her in the car so she wouldn't say anything.

IAB NOTE: Later during the interview, Suspect Batiste said she first recalled feeling pain in her jaw when she yelled for her [redacted].

Suspect Batiste's [redacted] and [redacted] walked down the street and asked to see her, so they could see if she was injured. The deputy would not let her [redacted] or [redacted] see her while she was in the back seat of the patrol car. The deputy told Shanarah that they were going to take her to the station and let her make a complaint and then "go on your way."

Suspect Batiste knew she was going to jail, "because they can't sit back and have me out on the street because I'm going to get a lawyer and get a lawsuit. I think they want to just correct everything before I go out on the street."

IAB NOTE: Later during the interview, Suspect Batiste said that she felt the one thing she did wrong during this incident, was to not move when the deputy told her to move. She did not move because she was scared.

MISCELLANEOUS:

The blue van that Deputy Shirley originally stopped turned out not to be involved in the original call.